

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
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f/k/a Mead Reinsurance Corporation*

In re:

Duro Dyne National Corp., *et al.*,¹

Debtors.

Chapter 11

(Jointly Administered)

Case No. 18-27963 (MBK)

**REPLY OF MIDSTATES REINSURANCE CORPORATION, F/K/A MEAD
REINSURANCE CORPORATION, IN FURTHER SUPPORT OF ITS MOTION FOR
ENTRY OF AN ORDER REQUIRING COMPLIANCE WITH RULE 2019**

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's tax identification number, are: Duro Dyne National Corp. (4664); Duro Dyne Machinery Corp. (9699); Duro Dyne Corporation (3616); Duro Dyne West Corp. (5943); and Duro Dyne Midwest Corp. (4662).

MidStates Reinsurance Corporation, f/k/a Mead Reinsurance Corporation (“MidStates”), a party-in-interest in the above-captioned jointly administered chapter 11 cases (the “Chapter 11 Cases”), acting by and through its undersigned counsel, hereby filed this reply (“Reply”) in further support of its *Motion For Entry of an Order Requiring Compliance with Federal Rule of Bankruptcy Procedure 2019* [Docket No. 362] (“Motion”) and in response to the *Objection* to the Motion [Docket No. 402] (“Objection”) filed by the Official Committee of Asbestos Claimants (“Committee”) and the Debtors.² In support of this Reply, and in further support of the Motion, MidStates respectfully states as follows:

REPLY

1. MidStates does not dispute that as of the date hereof no asbestos claimant or group of asbestos claimants has actively participated in the Debtors’ Chapter 11 Case. However, it is not uncommon for asbestos claimants or groups of asbestos claimants, acting by and through counsel, to become involved in a chapter 11 case in connection with plan confirmation.

2. In this Chapter 11 Case, a plan confirmation hearing is currently scheduled for early March 2019 and the deadline to vote on the proposed plan was January 24, 2019 and the deadline to file objections to the proposed plan is February 8, 2019.

3. Accordingly, the Motion should be granted to ensure that if any asbestos claimant or group of claimants do participate in the case, it or they, acting by and through its or their counsel, comply with Rule 2019, as amended in 2011, and are otherwise put on notice of the need to do so.

4. Granting the Motion does not prejudice the claimant or any group of claimants, the Committee or the Debtors and, as set forth in the Motion, is beneficial to all other creditors and

² Capitalized terms used but not otherwise defined in this Rely shall have the meanings ascribed to them in the Motion.

parties-in-interest particularly because, as of the hereof, no bar date has been set for any asbestos claimants or group of claimants.

CONCLUSION

For the foregoing reasons, MidStates respectfully requests that this Court enter an order (i) granting this Motion over the pending Objection; (ii) compelling all entities “representing” (as defined in Rule 2019) multiple creditors in the Chapter 11 Cases to comply with Rule 2019’s disclosure requirements, (iii) denying any entity that fails to comply with Rule 2019’s disclosure requirements the right to be heard in this case and hold any ballots cast on behalf of multiple creditors invalid; and (iv) granting such other and further relief it deems just and proper.

Respectfully submitted,

Dated: January 28, 2019

/s/ Sommer L. Ross
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